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ONE HUNDRED NINTH CONGRESS

# Congress of the United States

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### Statement of Rep. Henry A. Waxman Introduction of Legislation to Establish an Independent Commission to Review Detainee Abuses June 21, 2005

It has been over a year since the photographs of prisoner abuse at Abu Ghraib shocked the nation and the world. Since then, the allegations of mistreatment, abuse, and torture of detainees in U.S. custody have multiplied.

In just the past few weeks, new evidence emerged of the desecration of the Koran at Guantanamo Bay, the involvement of Navy Seals in beating detainees in Iraq, and the gruesome, ultimately fatal torture of Afghans at the U.S. detention center at Bagram Airbase in Afghanistan.

The reports of detainee abuse are undermining one of our nation's most valuable assets: our reputation for respect for human rights. And they are endangering our armed forces and inciting hatred against the United States. As Senator Joe Biden said, Guantanamo is the "greatest propaganda tool for the recruitment of terrorists worldwide."

Our national interest demands a thorough independent review of the detention system. We need answers to basic questions: What happened? Who is responsible? And how do we move forward?

The Pentagon's internal investigations certainly do not meet this standard. The resulting reports have contained conflicting conclusions, and some have been little more than whitewashes.

And in Congress, we have ignored our fundamental constitutional responsibility to investigate. When the Abu Ghraib photos surfaced, the House held a mere five hours of public hearings. The Senate review was more extensive but stopped far short of assessing individual accountability up the chain of command.

Our troops deserve better. Our nation deserves better.

Some of the allegations that have been replayed repeatedly around the world may not be true. President Bush calls them "absurd."

But we won't know what's true and what's not true unless we investigate. And when we refuse to conduct thorough, independent investigations, the rest of the world thinks we have something to hide.

The independent commission established by the bill we are introducing today would address this huge oversight gap. It would establish a 10-member bipartisan commission modeled on the successful 9-11 Commission.

The Commission would conduct a thorough review of the extent of the abuses, what individuals are responsible for the abuses, and what policies facilitated the abuses. The Commission would also make recommendations on legislative and executive actions necessary to prevent future abuses.

The bill already has 172 cosponsors, and it has the support of key leaders in Congress like Nancy Pelosi, the Minority Leader; Steny Hoyer, the Minority Whip; Ike Skelton, the ranking Democrat on Armed Services; and Jane Harman, the ranking Democrat on Intelligence. I commend these senior members for their leadership.

And I urge my other colleagues to join us in demonstrating that our system of checks and balances still works and that we are a nation committed to respect for human rights.